

## Chapter 32

### **TAXICABS**

- Sec. 32-1. Definitions.
- Sec. 32-2. Insurance or bond.
- Sec. 32-3. Driver's permit.
- Sec. 32-4. Identification.
- Sec. 32-5. Display of common carrier license plate.
- Sec. 32-6. Inspection and condemnation.
- Sec. 32-7. Approval and posting of rates of fare.
- Sec. 32-8. Duty of passengers to pay fare.
- Sec. 32-9. Refusal of passengers.
- Sec. 32-10. Transportation of persons for unlawful or immoral purposes.
- Sec. 32-11. Required use of taxicab stands.
- Sec. 32-12. Soliciting and cruising prohibited.



**Sec. 32-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Taxicab* means every automobile or motor-propelled vehicle used for the transportation of passengers for hire over the streets of the city and not over a defined or fixed route, such vehicle being routed under the direction of the passenger or person hiring the same.

(Code 1964, § 22-1; Code 1980, § 21-1)

**Sec. 32-2. Insurance or bond.**

No license shall be issued for and no taxicab shall be operated or used in and upon the streets of the city for the purpose of carrying passengers for hire, and it shall be unlawful to so operate such taxicab, unless there has been filed with the city clerk a liability insurance policy, issued to the owner of such taxicab, on the form of the standard automobile liability insurance policy in customary use, to be approved by the city attorney, and issued by an insurance company licensed to do business in the state. Such policy shall secure payment, in accordance with the provisions thereof, to any person, except employees of the owner, for personal injuries to such persons and, in addition thereto, for any damage to property, except property owned by, rented to, leased to, in charge of or transported by the owner, other than baggage of passengers, caused by the operation of such taxicab, for the amounts required by state law. In lieu of such policy of insurance, such owner may file a bond signed by some solvent surety company licensed to do business in the state, which bond shall be in the form approved by the city attorney and shall be conditioned for the payment of property damage and personal injuries in the same manner and to the same extent herein provided in the case of the filing of an insurance policy. All liability policies shall be endorsed specifying five days' written notice of cancellation to the city clerk before the company's termination of liability.

(Code 1964, § 22-2; Code 1980, § 21-2)

**Sec. 32-3. Driver's permit.**

(a) It shall be unlawful for any person to drive a taxicab within the city, unless he has a current permit to do so issued by the chief of police. Application for such permit shall be filed with the chief of police and shall include an endorsement or recommendation of the applicant by two responsible citizens of the city. Each permit issued under this section shall expire 12 months from the date of its issuance.

(b) The chief of police may refuse to issue a permit to any applicant who has been convicted of, plead guilty or nolo contendere to, or forfeited bond pursuant to a charge of any moving traffic violation or pursuant to a charge of driving without insurance within the past three years prior to the date of the application for said permit.

(c) The chief of police shall not issue a permit to any applicant who is less than 21 years old, who does not possess a valid state driver's license, or who has been convicted of, plead guilty or nolo contendere to, or forfeited bond pursuant to a charge of driving under the influence of alcohol or drugs, driving under suspension, any alcohol-related offense, any offense related to

illegal use, possession, or distribution of drugs or controlled substances, or an offense for which the applicant could have been punished by imprisonment for one year or more within the past five years prior to the date of the application for said permit.

(d) It shall be unlawful for the owner of any taxicab to permit the same to be operated or driven by any person who does not have the permit required by this section.

(e) The permit herein required shall be in addition to the occupation license required of taxicab drivers and no such license shall be issued to any person not holding a permit under this section. A fee of \$25.00 shall be charged for each such annual permit.

(f) Any person who operates a taxicab without the permit required by this section or who allows another to operate a taxicab without the permit required by this section or who otherwise violates this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$200.00 and imprisoned for a period of not more than 30 days.

(Code 1964, § 22-3; Code 1980, § 21-3; Ord. No. 1989-2, §§ 1, 2, 6-6-1989; Ord. No. 2004-1, 1-5-2004)

**State law reference**—Authority of city to require license to operate taxicab or other public conveyance, S.C. Code 1976, § 56-1-20.

#### **Sec. 32-4. Identification.**

(a) Every taxicab operated in the city shall have prominently displayed on the outside thereof, the name of the owner or operator of the taxicab and the number assigned to the vehicle by the owner. Such information shall be displayed in a manner approved by the city council.

(b) A picture I.D. of the taxicab driver shall be posted in the vehicle in a position clearly visible to passengers.

(Code 1964, § 22-4; Code 1980, § 21-4; Ord. No. 2004-1, 1-5-2004)

#### **Sec. 32-5. Display of common carrier license plate.**

No person shall operate, or cause to be operated, any taxicab within the city, unless there is displayed on such taxicab current common carrier license plates issued for such vehicle by the public service commission of the state.

(Code 1964, § 22-3.1; Code 1980, § 21-5)

#### **Sec. 32-6. Inspection and condemnation.**

The chief of police and such officers as he may designate are hereby authorized to make periodic inspections of taxicabs operating in the city, with a view of determining their safety and convenience for the transportation of the public. Any vehicle condemned by the chief of police or such officers shall not be operated as a taxicab.

(Code 1964, § 22-5; Code 1980, § 21-6)

**Sec. 32-7. Approval and posting of rates of fare.**

(a) The rates of fare charged for taxicab service in the city shall be metered and shall be approved by the city council and no person shall charge or collect from any passenger any fare not so approved. All metered rates shall be posted on the inside of the taxicab in such manner as to be clearly visible to passengers.

(b) Every taxicab operated under this section shall have an approved taximeter installed therein, in a position visible to the driver and to the passengers. The taximeter shall register upon visual counters at least the following items:

- (1) Total miles.
- (2) Paid miles.
- (3) Number of units.
- (4) Number of trips.
- (5) Fare.

The taximeter so installed in each taxicab shall be used by the driver to determine the fare to be charged to each passenger by engaging the taximeter at the beginning of each trip and disengaging the taximeter at the end of each trip. Each taximeter shall be maintained in good repair and condition so that the taximeter is fully operational at all times while the taxicab is available for hire. Taximeters shall be subject to inspection by the taxi inspector at least annually and at any other time upon reasonable suspicion that the taximeter is not operating or is being used improperly. The case or cover of the taximeter shall be sealed at all times and the gear located therein shall not be tampered with. A repair log for each taximeter shall be maintained and a full written report concerning each repair requiring the case to be unsealed or requiring the repair of the gears or electronic parts inside shall be given to the taxi inspector before being placed back into service.

(c) No person licensed by the city as a taxicab operator or hereafter granted a license for such operation shall fix or charge a greater of fare than those set from time to time by the council, a schedule of which are on file and available in the city offices. Waiting time shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing or waiting at the direction of the passenger, but no charge shall be made for time lost for inefficiency or breakdown of the taxicab or for time consumed by premature response to a call. No operator shall be required to carry more than \$5.00 in change.

(d) The charge shown on the taximeter shall cover one or two passengers riding together to the same destination. When one or more passengers proceed beyond any passenger discharge point, the taxicab operator may collect full fare to the discharge point from the passenger disembarking, unless all passengers divide the fare by mutual agreement, and may thereupon reset the meter for travel to the next point of discharge. For each passenger over two traveling to the same destination, there shall be a currently required flat rate charge in addition to the regular fare. When two or more passengers seek transportation in substantially opposite

directions, the taxicab operator may accept passengers for only one of the two directions and require any additional passenger to seek transportation in the other direction by separate taxicab.

(e) The charge for each piece of luggage shall be the currently required amount for the first piece and the currently required amount for each additional piece of luggage, in addition to the regular fare.

(f) There shall be the currently required charge for the first bag of groceries, and the currently required charge for each additional bag of groceries, in addition to the regular fare.

(g) There shall be no charge for the transportation of an infant or a child under six years of age when accompanied by or in the care of some older person.

(h) Every taximeter shall be equipped with a flag or other mechanical device, and such flag shall be so attached and connected to the mechanism of such taximeter as to cause the fare meter to operate when such flag is in a position other than upright and indicate that the taxicab is not for hire; and which flag shall, when moved forward or downward, start the operation of such taximeter so that the taximeter will operate in the manner defined in this section.

(i) No driver of a taxicab, while transporting passengers for hire, shall display the taximeter flag in any position other than the position of recording a fare. No driver of a taxicab, unless carrying passengers or parcels for hire, shall operate the taxicab unless the taximeter flag is in an upright position indicating that the cab is not engaged or hired.

(j) The city council shall have the power at all times to change the rate and schedule of fares prescribed in this section.

(k) The chief of police and such officers as he may designate are empowered with the authority to make stated inspections of vehicles operating for hire in the city, with a view to determining their safety and convenience for the transportation of the public. Any vehicle condemned by the chief of police or such officers shall no longer be operated in the public service until such time as it meets the established safety requirements.

(l) It shall be unlawful for any owner or driver operating any taxicab under the provisions of this chapter to operate or cause to be operated on the streets or public ways of the city any taxicab unless it is equipped with a taximeter approved by the city council.

(m) It shall be the duty of every owner using any taximeter at all times to keep the taximeter accurate.

(n) Taximeters shall be subject to inspection from time to time by the inspector.

(o) All taximeters shall be placed so that the reading dial showing the amount to be charged shall be well-lighted and readily visible to passengers riding in such taxicabs.

(p) It shall be unlawful for any person to place or cause to be placed upon any taxicab equipped with a taximeter, tires of a smaller size than those which were on the vehicle at the time the taximeter was last sealed, without notice to the inspector. After notice of such a change in tires, it shall be the duty of the inspector to test and seal the taximeter.

(q) It shall be unlawful for any person to operate any taxicab unless the taximeter thereto attached shall be sealed with the official seal designated by the inspector.

(r) It shall be unlawful for any person to break a seal on a taximeter, or to tamper with it, or so to manipulate it as to cause it to inaccurately measure the distance traveled by the taxicab to which it is attached. It shall be unlawful to operate a taxicab with the seal broken. The inspector shall inspect any meter for accuracy which has had the seal broken.  
(Code 1964, § 22-8; Code 1980, § 21-7; Ord. No. 2007-13, 9-4-2007)

**Sec. 32-8. Duty of passengers to pay fare.**

It shall be unlawful for any person to engage or use a taxicab not intending to pay for the same at the time it is engaged, but with intent to defraud the owner or driver of the vehicle of the value of the use thereof, and every employment of such vehicle shall be held to be for cash, unless other arrangements are agreed upon when the engagement is made.  
(Code 1964, § 22-9; Code 1980, § 21-8)

**Sec. 32-9. Refusal of passengers.**

No taxicab driver or owner shall refuse to carry an orderly person applying for transportation, who agrees to pay the proper fare, unless for an unlawful purpose coming to the knowledge of such driver or owner.  
(Code 1964, § 22-10; Code 1980, § 21-9)

**Sec. 32-10. Transportation of persons for unlawful or immoral purposes.**

No taxicab owner or driver shall knowingly transport any person for an unlawful purpose or a purpose not conducive to good morals and the welfare of the general public of the city.  
(Code 1964, § 22-11; Code 1980, § 21-10)

**Sec. 32-11. Required use of taxicab stands.**

All taxicabs shall be operated from a fixed stand designated by the city council and upon call only, and drivers shall at all times answer calls and return to the stand by the shortest route possible.  
(Code 1964, § 22-6; Code 1980, § 21-11)

**Sec. 32-12. Soliciting and cruising prohibited.**

No person shall solicit, by signs or otherwise, passengers or other business for any taxicab on the streets of the city. It shall be unlawful for the driver of any taxicab to cruise for passengers.  
(Code 1964, § 22-7; Code 1980, § 21-12)





Chapter 33

**RESERVED**

